



U.S. Department of Justice
United States Attorney's Office
Eastern District of Virginia

G. Zachary Terwilliger
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August 28, 2020

Samuel J.B. Angell
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Re: *United States v. Jorge Avila Torrez*, No. 1:11-cr-115 (LO)

Dear Mr. Angell:

This letter memorializes our second agreement regarding the filing of a motion for your client, Jorge Avila Torrez, pursuant to Title 28, United States Code, Section 2255.

Under Title 28, United States Code, Section 2255(f)(1), the deadline for your client to file his motion to vacate, set aside, or correct his sentence was on or before June 17, 2020, which was one-year following the date on which the judgement of his conviction became final. You previously represented to the government that the coronavirus pandemic and the resulting restrictions and closures have made it impossible for you and your staff to complete your work in preparing and filing your client's motion by this date.

Based upon these representations, by letter dated May 4, 2020 (Dkt. 488), the United States agreed to waive any statute of limitations defense pursuant to Title 28, United States Code, Section 2255(f)(1), for any motion to vacate, set aside, or correct sentence filed on or before October 1, 2020.

United States v. Jorge Avila Torrez

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As we discussed, the conditions created by the coronavirus pandemic have continued longer than we had anticipated. As a result, the United States agrees to waive any statute of limitations defense pursuant to Title 28, United States Code, Section 2255(f)(1), for any motion to vacate, set aside, or correct sentence filed on or before January 15, 2021.

If the current conditions continue, we would be willing to discuss whether you need any additional time in which to file your client's motion.

As you requested, I will file this letter with the Clerk's Office through the Court's electronic filing system and will also send a copy to the Honorable Liam O'Grady, United States District Judge.

Sincerely,

G. Zachary Terwilliger
United States Attorney

By:

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